



City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2205624
Applicant Name: John F. Stukenberg
Address of Proposal: 2316 NE 92nd Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel of land into two (2) parcels of land. Proposed lot sizes are: A) 6,327.9 square feet, and B) 6,327.9 square feet. The existing single family residence will be removed. Related Project No. 2204299: Exemption from the ECA Steep Slope Development Standards (SMC 25.09.180).

The following approval is required:

Short Subdivision - to subdivide one existing parcel into two parcels of land.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction

BACKGROUND DATA

Site & Area Description

The 12,655.8 square foot property is located on the north side of NE 92nd Street, between 23rd and 25th Avenues NE in the Lake City area of north Seattle. Access to the site is via 92nd Street,

which is paved but not improved with concrete curbs, gutters, planter strips or sidewalks. There is not a platted alley at the rear (north) of the property to provide vehicular access. An existing single family residence is located on the southerly portion of the parcel. The site slopes downward from 92nd Street to the northwest corner of the site. A limited portion of the westerly portion of the site is shown on the City's Environmentally Critical Area (ECA) maps as being located within a Steep Slope Area. However, based on the topographic survey, it appears that no portions of the site meets the definition of a Steep Slope area and thus an ECA exemption was granted under DCLU No. 2204299.

The subject parcel and the surrounding properties are zoned for single family residential use with a minimum lot size of 5,000 square feet (SF 5000). Development in the area consists of one and two-story single family houses consistent with the zoning designation.

Proposal

The proposal is to subdivide one parcel of land into two (2) parcels. Proposed lot areas are as indicated in the summary. The proposed parcels will have direct pedestrian and vehicle access to 92nd Street. The existing single family dwelling will be removed.

Public Comment

The public comment period ended on December 16, 2002. The City received three (3) written comments regarding previous construction activities on the site and potential impacts associated with increased density in the neighborhood.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned for single-family residential use. The allowable use for the subject property is one residential unit per lot. Maximum lot coverage is 35%. Front setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, which ever is less. The minimum side yard setback is five (5) feet. Minimum rear yard setback is twenty (20) percent of the lot depth; the minimum rear yard is ten (10) feet. The existing trees located on the site will preserved or new trees must be planted consistent with the requirements of the City's Tree Ordinance (SMC 23.44.008.I). The parcels created by this proposed division of land will conform to all development standards of the SF 5000 zone. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.
2. The proposed lots will have direct vehicular access NE 92nd Street. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and does not require an easement to provide for electrical facilities and service to the proposed lots. This short plat provides for adequate access for vehicles, utilities, and fire protection.
3. This area is served with domestic water, sanitary sewer, and stormdrainage facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on November 19, 2002. The existing structure is connected by a single sidesewer to an 8-inch public sanitary sewer (PSS) located in NE 92nd Street. There is a ditch and culvert system to the west of the proposed short plat, on the north side of 92nd Street. This area is within the Thornton Creek Drainage Sub-basin.

Connection of new construction to the PSS will require a sidesewer permit. Stormwater detention, with controlled release to the ditch and culvert system is likely to be required for construction in excess of 2,000 square feet of development coverage. Plan review requirements will be made at time of building permit application in accordance with any applicable stormwater ordinances in effect at that time. If the project includes greater than 5,000 square feet of new or replaced impervious surface, a comprehensive drainage control plan prepared in accordance with SMC 22.802.015D and 22.802.020 may be required.

4. The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for new single family housing would be provided within the City limits as a result of this subdivision. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.
5. A portion of the parent parcel is shown on the City ECA maps as being within an identified Steep Slope area. However, an ECA exemption was granted under No. 2204299 because the site does not actually contain any steep slope areas (as defined in the ECA ordinance) based on the submitted survey. Thus the proposed subdivision is not subject to the provisions of SMC 25.09.240.
6. There are thirteen (13) broad-leaved and coniferous trees located around the perimeter of the site. Due to their location, the majority of these trees can be preserved, depending upon the extent of the root systems and the overall health of the trees. Thus the proposal has been designed to maximize the retention of existing trees on the property. Future construction will be subject to the provisions of SMC 23.44.008 which sets forth tree planting requirements on single family lots. Trees in the right-of-way cannot be removed without approval of the Seattle Department of Transportation's City Arborist.
7. This short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED.**

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

The owner(s) and responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.

3. Insert the following on the face of the plat; "Tree preservation and planting options and landscaping requirements of Seattle Municipal Code 23.44.008 require trees for new single family development."

After Recording and Prior Issuance of a Building Permit

4. Attach a copy of recorded short subdivision to all copies of future building permit application plans.

Signature: (signature on file) Date: May 19, 2003
David Graves, AICP, Contract Planner
Department of Design, Construction and Land Use
Land Use Division

DG:rgc
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